

Bountiful City
Administrative Committee Minutes
March 14, 2016

Present: Chairman – Chad Wilkinson; Committee Members – Lloyd Cheney and John Marc Knight; Assistant Planner – Andy Hulka; Recording Secretary – Julie Holmgren

1. Welcome and Introductions.

Chairman Wilkinson opened the meeting at 5:01 p.m. and introduced all present.

2. Consider approval of minutes for February 29, 2016 and March 7, 2016.

Mr. Cheney made a motion to approve the minutes for February 29, 2016. Mr. Knight seconded the motion.

<u> A </u>	Mr. Wilkinson
<u> A </u>	Mr. Cheney
<u> A </u>	Mr. Knight

Motion passed 3-0.

Mr. Knight made a motion to approve the minutes for March 7, 2016. Mr. Wilkinson seconded the motion. (Alternate Committee Member Todd Christensen authorized Mr. Cheney to approve the February 29, 2016 minutes on his behalf.)

<u> A </u>	Mr. Wilkinson
<u> A </u>	Mr. Cheney
<u> A </u>	Mr. Knight

Motion passed 3-0.

3. PUBLIC HEARING: Consider approval of a Conditional Use Permit to allow for Solar Panels at 1203 East Canyon Creek Drive, Shirley Faerber, applicant.

Shirley Faerber, applicant, and Brad Schow (Green Ridge Builders – Solaroo Solar Energy), solar contractor, were present.

Andy Hulka presented a summary of the staff report (the full staff report follows).

The property where the solar panels are to be installed is located in the R-F Single Family Zone. Solar power panels are classified in the city ordinance as “private power plants” and require a conditional use permit if they are over 10 watts. The applicant has indicated that the photovoltaic system to be installed will produce 4.59 kilowatts (4,590 watts), requiring a conditional use permit.

The application submitted indicates the proposed installation of 1 photovoltaic array with a total of 17 panels. The arrays will occupy approximately 210 square feet, which is smaller than the 50% maximum roof coverage. The south facing array has one row of 9 panels and another row of 8 panels. The panels will be connected to the roof by lag bolts and brackets. The roof is of truss construction, has a slope of 3:12, and the asphalt shingles will be replaced with a steel roof before installation. A review of information provided in the application indicates that all engineering requirements for the construction of solar panels in Bountiful City will be met. A reflection analysis of the roof pitch indicates that photovoltaic panels should not produce a reflection nuisance to surrounding properties.

Based on the findings, staff has determined that the applicant would comply with all requirements for the conditional use permit. Staff recommends approval of the conditional use permit with the following conditions:

1. The applicant shall obtain a building permit.
2. The panels must be installed only as proposed in the application.
3. This conditional use permit is solely for this site and is non-transferable.

Mr. Cheney asked Mr. Schow if his company had previously done business in Bountiful. Mr. Schow replied they have not, but they have completed many solar projects in other cities. Mr. Cheney verified that the city's wiring diagram page had been signed by the contractor.

PUBLIC HEARING: Chairman Wilkinson opened and closed the Public Hearing at 5:06 p.m. with no comments from the public.

Mr. Knight made a motion for approval of a Conditional Use Permit to allow for Solar Panels at 1203 East Canyon Creek Drive, Shirley Faerber, applicant. Mr. Cheney seconded the motion.

<u>A</u>	Mr. Wilkinson
<u>A</u>	Mr. Cheney
<u>A</u>	Mr. Knight

Motion passed 3-0.

4. **PUBLIC HEARING: Consider approval of a Conditional Use Permit to allow for Solar Panels at 1378 North 550 East, David Parker, applicant.**

Neal Barth (Go Solar Group), representing the applicant, was present.

Andy Hulka presented a summary of the staff report (the full staff report follows).

The property where the solar panels are to be installed is located in the R-4 Single Family Zone. Solar power panels are classified in the city ordinance as "private power plants" and require a conditional use permit if they are over 10 watts. The applicant has indicated that the photovoltaic system to be installed will produce 3.24 kilowatts (3,240 watts), requiring a conditional use permit.

The application submitted indicates the proposed installation of 2 photovoltaic arrays with a total of 12 panels. The arrays will occupy approximately 210 square feet, which is smaller than the 50% maximum roof coverage. Each array has 6 panels and is situated on a south facing roof section. The panels will be connected to the roof by 5/16" lag bolts. The roof is of rafter construction, has a slope of 2:12, and the shingles 8-10 years old. A review of information provided in the application indicates that all engineering requirements for the construction of solar panels in Bountiful City will be met. A reflection analysis of the roof pitch indicates that photovoltaic panels should not produce a reflection nuisance to surrounding properties.

Based on the findings, staff has determined that the applicant would comply with all requirements for the conditional use permit. Staff recommends approval of the conditional use permit with the following conditions:

1. The applicant shall obtain a building permit.
2. The panels must be installed only as proposed in the application.
3. This conditional use permit is solely for this site and is non-transferable.
4. Per the structural report from Vector Engineers, the following retrofit is required prior to installation of solar panels: Contractor to install 2x6 ceiling joist/collar tie at every other rafter with (5) 16d sinkers connecting rafters to collar tie.

Mr. Barth noted there is a tree on the Parker's property which will be trimmed back before the panels are installed. Additionally, he noted that six panels will be installed on a detached shed/garage/shop and another six will be installed on an addition to the home. Mr. Cheney noted that the structural engineer's report stated there are repairs to be completed prior to the solar installation, and he inquired regarding the location for those repairs. Mr. Barth stated those repairs would be made over the shed/garage/shop. Mr. Cheney inquired regarding the roof type for both array locations. Mr. Barth stated that the addition has trusses and the shop has rafters, which will need to be reinforced. Mr. Cheney referenced the engineer's report for repair details.

PUBLIC HEARING: Chairman Wilkinson opened and closed the Public Hearing at 5:10 p.m. with no comments from the public.

Mr. Knight suggested that language from the engineer's letter regarding repairs be included as one of the conditions for the Conditional Use Permit. [That language was subsequently included as condition #4 above.]

Mr. Cheney made a motion for approval of a Conditional Use Permit to allow for Solar Panels at 1378 North 550 East, David Parker, applicant, with conditions outlined by staff and with the additional condition regarding repairs. Mr. Knight seconded the motion.

A Mr. Wilkinson
A Mr. Cheney
A Mr. Knight

Motion passed 3-0.

5. **PUBLIC HEARING: Consider approval of a Conditional Use Permit to allow for a Home Occupation Construction Business (road and concrete) at 1925 South 150 West, Ryan Barton, applicant.**

Ryan Barton, applicant, was present.

Andy Hulka presented a summary of the staff report (the full staff report follows).

The property where the Home Occupation Contractor Business is proposed is located in the R-4 Single Family Zone. Home Occupation Contractor Businesses in this zone are classified in the City Ordinance as requiring a Conditional Use Permit.

The application submitted indicates that the property will be used for a home occupation contractor business. One truck will be parked in the driveway and one room will be used as an office. The proposed office is approximately 200 square feet, which is less than 50% of the primary dwelling. There will be no employees working on site. The applicant states that a small tow-behind compressor and jackhammer will be stored on the side of the home. The applicant has indicated that no work will be performed on site, no product will be sold from the property, and no customers will visit the site. There will be no signage on the property associated with the business. The use appears to be incidental and secondary to the use of the dwelling and shall not change the appearance, character, or condition of the property.

Based on the findings, staff has determined that the applicant would comply with all requirements for the conditional use permit. Staff recommends approval of the Conditional Use Permit with the following conditions:

1. The applicant shall maintain an active Bountiful City business license.
2. The Home Occupation will not create nuisances discernible beyond the premises (e.g. noise, dust, fumes, glare, traffic, etc.).
3. The use will comply with all applicable fire, building, plumbing, electrical, and life safety and health codes in the State of Utah, Davis County, and Bountiful City.
4. Storage of equipment on site is limited to the one small trailer (tow-behind compressor/jackhammer) to be parked on the paved area to the side of the home.
5. The Conditional Use Permit is solely for this site and is non-transferable.

Mr. Hulka indicated he had received a telephone call from Mr. Barton's neighbor. The neighbor expressed concern that Mr. Barton had been keeping a trailer parked in front of his home and near a fire hydrant, and that employees had possibly been congregating at the home. A discussion ensued regarding these issues, and Mr. Barton explained that the trailer is for personal use as he remodels his home, and he will no longer be parking it on the street. Mr. Barton stated that employees meet him at job sites and not at the home. Mr. Wilkinson

reiterated that the code prohibits employees from congregating at the residence. Mr. Barton indicated his understanding of this.

PUBLIC HEARING: Chairman Wilkinson opened and closed the Public Hearing at 5:16 p.m. with no comments from the public.

Mr. Knight explained that the spirit of conditions for home occupation businesses requires that neighbors see no visual indications that a business is operating at the home. There should be no signage, no gathering of employees, and equipment stored only as designated on the site plan. Mr. Wilkinson stressed that a trailer used for the business cannot be parked in the street. Mr. Barton explained it will be parked in Layton.

Mr. Knight made a motion for approval of a Conditional Use Permit to allow for a Home Occupation Construction Business (road and concrete) at 1925 South 150 West, Ryan Barton, applicant. Mr. Cheney seconded the motion.

<u> A </u>	Mr. Wilkinson
<u> A </u>	Mr. Cheney
<u> A </u>	Mr. Knight

Motion passed 3-0.

6. **PUBLIC HEARING: Consider approval of a Conditional Use Permit to allow for a Home Occupation Contractor Business (flooring) at 513 North Davis Boulevard, Russell M. Hall, applicant.**

Russell M. Hall, applicant, was present. His business partner, Robert Taylor, was also present.

Andy Hulka presented a summary of the staff report (the full staff report follows).

The property where the Home Occupation Contractor Business is proposed is located in the R-4 Single Family Zone. Home Occupation Contractor Businesses in this zone are classified in the City Ordinance as requiring a Conditional Use Permit.

The application submitted indicates that the property will be used for a home occupation contractor business. One truck will be parked in the driveway and one room, approximately 12' x 10', will be used as an office. The proposed office is approximately 120 square feet, which is less than 50% of the primary dwelling. There will be no employees working on site. The applicant states that no equipment or tools will be stored on-site beyond the tools that are stored in the truck. The applicant has indicated that no work will be performed on site, no product will be sold from the property, and no customers will visit the site. There will be no signage on the property associated with the business. The use appears to be incidental and secondary to the use of the dwelling and shall not change the appearance, character, or condition of the property. There is an area of pavement located in the front yard. Section 14-4-110 prohibits parking within front yard areas (the area between the home and the front

property line). As a condition of approval, parking of vehicles or trailers is not allowed in this paved area.

Based on the findings, staff has determined that the applicant would comply with all requirements for the conditional use permit. Staff recommends approval of the Conditional Use Permit with the following conditions:

1. The applicant shall maintain an active Bountiful City business license.
2. The Home Occupation will not create nuisances discernible beyond the premises (e.g. noise, dust, fumes, glare, traffic, etc.).
3. The use will comply with all applicable fire, building, plumbing, electrical, and life safety and health codes in the State of Utah, Davis County, and Bountiful City.
4. The Conditional Use Permit is solely for this site and is non-transferable.
5. No trailer or vehicle parking is allowed on the existing concrete pad in the front yard of the property, as restricted by 14-14-107(A-1) and 14-4-110.

Mr. Miles inquired regarding the parking pad restrictions. Mr. Wilkinson explained that the code, currently in effect and also in effect when the home was constructed, prohibits parking in the front yard, and this restriction is one of the conditions of the Conditional Use Permit.

PUBLIC HEARING: Chairman Wilkinson opened and closed the Public Hearing at 5:22 p.m. The following were present for this matter: Rich Anderson (555 North Davis Boulevard), Colin Miller (1027 East 450 North), and Doris Crowley (520 North Davis Boulevard).

Mr. Anderson noted that business activities have been occurring at the residence for some time, and asked regarding the necessity of the conditional use permit. Mr. Hall explained he is now working for himself which necessitates obtaining a business license. Mr. Hall also explained he will only be doing paperwork at the home and no tools will be stored there. Mr. Anderson explained his concern about parking difficulties in the neighborhood and an additional worry about neighborhood children and any additional traffic. Mr. Hall responded there will be no additional traffic due to the business.

Ms. Crowley asked if there would be an additional truck parked at the residence due to the business. Mr. Hall responded he would only be using the truck he currently drives. Ms. Crowley expressed her concern about the number of vehicles parked at the home and other concerns regarding vehicles parked at Mr. Hall's residence. A discussion ensued regarding her concerns and the possibility of Mr. Hall constructing a circular driveway in the future. Ms. Crowley inquired if there would be an increase in neighborhood traffic due to the business. Mr. Hall explained there would be no increase in traffic. Ms. Crowley expressed additional concerns about traffic, especially late-night traffic. Mr. Wilkinson noted Ms. Crowley's concerns but recommended that comments be directed to the matter at hand.

Mr. Miller explained that he is a back neighbor of Mr. Hall and expressed concern about noise coming from the backyard. Mr. Knight explained that is an issue to be discussed between neighbors. Mr. Taylor explained the home occupation business will not result in any

increased neighborhood traffic. Mr. Miller explained he has grievances to be worked out with Mr. Hall, but noted his understanding that this is not the issue of the public hearing.

Mr. Wilkinson closed the public hearing at 5:31 p.m.

Mr. Hall said that he would talk with his neighbors regarding their grievances. The committee reiterated the importance of following the conditions of the Conditional Use Permit and that neighborhood traffic should not increase due to the business. Mr. Knight expressed that the business should be invisible to neighbors and to the public. Mr. Hall noted his understanding. Mr. Knight suggested that Mr. Hall talk to his neighbors regarding their concerns. Mr. Wilkinson explained that conditions of the Conditional Use Permit should be adhered to and that the business license can be revoked if conditions are not followed.

Mr. Knight made a motion for approval of a Conditional Use Permit to allow for a Home Occupation Contractor Business (flooring) at 513 North Davis Boulevard, Russell M. Hall, applicant. Mr. Cheney seconded the motion.

<u>A</u>	Mr. Wilkinson
<u>A</u>	Mr. Cheney
<u>A</u>	Mr. Knight

Motion passed 3-0.

7. PUBLIC HEARING: Consider approval of a Conditional Use Permit to allow for Solar Panels at 3263 South Highway 89, #400, Curtis D. Trader (Trader Building South, LLC), applicant.

Richard Breitenbeker (Legend Electric), representing the applicant, was present.

Andy Hulka presented a summary of the staff report (the full staff report follows).

The property where the solar panels are to be installed is located in the C-G General Commercial Zone. Solar power panels are classified in the city ordinance as “private power plants” and require a conditional use permit if they are over 10 watts. The applicant has indicated that the photovoltaic system to be installed will produce 10 kilowatts (10,000 watts), requiring a conditional use permit. Because there will be multiple systems at the same location, producing a combined amount over 10 kilowatts, the applicant was required to first receive approval from the Bountiful City power department. Staff has received approval from the power department for this application.

The application submitted indicates the proposed installation of 1 photovoltaic array with a total of 30 panels. The arrays will occupy approximately 555 square feet, which is smaller than the 50% maximum roof coverage. The south-facing array will include all 30 panels, with 2 rows of 5 panels and 5 rows of 4 panels each. The panels will be connected to the roof by a Sunmodo roof mount system. The roof is a metal roof of I-Beam construction that has a slope of 2:12. A review of information provided in the application indicates that all engineering requirements for the construction of solar panels in Bountiful City will be met. A

reflection analysis of the roof pitch indicates that photovoltaic panels should not produce a reflection nuisance to surrounding properties.

Based on the findings, staff has determined that the applicant would comply with all requirements for the conditional use permit. Staff recommends approval of the conditional use permit with the following conditions:

1. The applicant shall obtain a building permit.
2. The panels must be installed only as proposed in the application.
3. This conditional use permit is solely for this site and is non-transferable.

Mr. Breitenbeker explained that this project had been submitted to the city last November for approval, and the power company was unable to approve it. Since that time, other options were explored, and the present plan was created for suites 400 and 100. Mr. Breitenbeker pointed out some of the plan highlights and also noted that in the future Mr. Trader might want to add more panels to the building.

Mr. Cheney asked how close the project was to the 50% roof area restriction. Mr. Hulka stated that the project for both suites covers approximately $\frac{1}{4}$ of the roof and stated that any future projects would have to take this into consideration. Mr. Breitenbeker explained that Mr. Trader is aware of the restriction.

PUBLIC HEARING: Chairman Wilkinson opened and closed the Public Hearing at 5:40 p.m. with no comments from the public.

Mr. Knight noted that commercial project restrictions are a little different from residential. A discussion ensued regarding those differences and the possibility of including system size limitations in the code. Mr. Wilkinson explained that Bountiful City has their own power company, and they set those limitations. Mr. Knight noted that any change to the code would have to involve the power company.

Mr. Cheney made a motion for approval of a Conditional Use Permit to allow for Solar Panels at 3263 South Highway 89, #400, Curtis D. Trader (Trader Building South, LLC), applicant. Mr. Knight seconded the motion.

<u>A</u>	Mr. Wilkinson
<u>A</u>	Mr. Cheney
<u>A</u>	Mr. Knight

Motion passed 3-0.

8. **PUBLIC HEARING: Consider approval of a Conditional Use Permit to allow for Solar Panels at 3263 South Highway 89, #100, Curtis D. Trader (Trader Building South, LLC), applicant.**

Richard Breitenbeker (Legend Electric), representing the applicant, was present.

Andy Hulka presented a summary of the staff report (the full staff report follows).

The property where the solar panels are to be installed is located in the C-G General Commercial Zone. Solar power panels are classified in the city ordinance as “private power plants” and require a conditional use permit if they are over 10 watts. The applicant has indicated that the photovoltaic system to be installed will produce 10 kilowatts (10,000 watts), requiring a conditional use permit. Because there will be multiple systems at the same location, producing a combined amount over 10 kilowatts, the applicant was required to first receive approval from the Bountiful City power department. Staff has received approval from the power department for this application.

The application submitted indicates the proposed installation of 1 photovoltaic array with a total of 30 panels. The arrays will occupy approximately 589 square feet, which is smaller than the 50% maximum roof coverage. The south-facing array will include all 30 panels in 6 rows of 5 panels each. The panels will be connected to the roof by a Sunmodo roof mount system. The roof is a metal roof of I-Beam construction that has a slope of 2:12. A review of information provided in the application indicates that all engineering requirements for the construction of solar panels in Bountiful City will be met. A reflection analysis of the roof pitch indicates that photovoltaic panels should not produce a reflection nuisance to surrounding properties.

Based on the findings, staff has determined that the applicant would comply with all requirements for the conditional use permit. Staff recommends approval of the conditional use permit with the following conditions:

1. The applicant shall obtain a building permit.
2. The panels must be installed only as proposed in the application.
3. This conditional use permit is solely for this site and is non-transferable.

PUBLIC HEARING: Chairman Wilkinson opened and closed the Public Hearing at 5:40 p.m. with no comments from the public. [Note: Due to the similarity of agenda items #7 and #8, the Public Hearing was simultaneously held for those items.]

Mr. Cheney made a motion for approval of a Conditional Use Permit to allow for Solar Panels at 3263 South Highway 89, #100, Curtis D. Trader (Trader Building South, LLC), applicant. Mr. Knight seconded the motion.

<u>A</u>	Mr. Wilkinson
<u>A</u>	Mr. Cheney
<u>A</u>	Mr. Knight

Motion passed 3-0.

9. **PUBLIC HEARING: Consider approval of a Conditional Use Permit to allow for Solar Panels at 256 East Summerwood Drive, Sharlene Nielson, applicant.**

Sharlene Nielson, applicant, was present along with Angie Higgs (Evelar, Inc.).

Andy Hulka presented a summary of the staff report (the full staff report follows).

The property where the solar panels are to be installed is located in the R-F Single Family Zone. Solar power panels are classified in the city ordinance as “private power plants” and require a conditional use permit if they are over 10 watts. The applicant has indicated that the photovoltaic system to be installed will produce 9.8 kilowatts (9,800 watts), requiring a conditional use permit.

The application submitted indicates the proposed installation of 2 photovoltaic arrays with a total of 35 panels. The arrays will occupy approximately 611 square feet, which is smaller than the 50% maximum roof coverage. The first south-facing array includes 5 panels in one row and the second south-facing array has 5 rows of 6 panels each. The panels will be connected to the roof by an Iron Ridge rail mounting system. The roof is of truss construction, has a slope of 10:12, and the shingles 3 years old. A review of information provided in the application indicates that all engineering requirements for the construction of solar panels in Bountiful City will be met. A reflection analysis of the roof pitch indicates that photovoltaic panels should not produce a reflection nuisance to surrounding properties.

Based on the findings, staff has determined that the applicant would comply with all requirements for the conditional use permit. Staff recommends approval of the conditional use permit with the following conditions:

1. The applicant shall obtain a building permit.
2. The panels must be installed only as proposed in the application.
3. This conditional use permit is solely for this site and is non-transferable.

Mr. Wilkinson noted this is a large project. Mr. Knight inquired regarding the design wind speed information in the engineer’s letter, and Mr. Cheney explained the formula conclusion indicates there is adequate uplift resistance.

PUBLIC HEARING: Chairman Wilkinson opened and closed the Public Hearing at 5:48 p.m. with no comments from the public.

Ms. Neilson inquired regarding the possibility of installing more panels on her home in the future. A discussion ensued regarding photovoltaic system size limitations in Bountiful and the possibility of increasing those limitations in the future. Mr. Knight noted that the City Council and Power Commission would need to be part of that discussion. A discussion ensued regarding energy consumption in Bountiful and associated costs, the benefits of solar energy, and that the solar industry is in its infancy. Mr. Knight inquired if there is currently a variance system for solar size limitations. Mr. Wilkinson responded that there is not a variance system since the limitations are city policy set by the power company. Regarding this, Mr. Knight said he would speak with Councilwoman Holbrook, who serves on the Power Commission.

Mr. Cheney made a motion for approval of a Conditional Use Permit to allow for Solar Panels at 256 East Summerwood Drive, Sharlene Nielson, applicant. Mr. Knight seconded the motion.

A Mr. Wilkinson
A Mr. Cheney
A Mr. Knight

Motion passed 3-0.

10. Consider approval of a Conditional Use Permit, in written form, to allow for a Home Occupation Landscaping Business at 314 West Center Street, Unit 83, Heath Forbush, applicant.

Mr. Knight made a motion for approval of a Conditional Use Permit, in written form, to allow for a Home Occupation Landscaping Business at 314 West Center Street, Unit 83, Heath Forbush, applicant. Mr. Cheney seconded the motion.

A Mr. Wilkinson
A Mr. Cheney
A Mr. Knight

Motion passed 3-0.

11. Consider approval of a Conditional Use Permit, in written form, to allow for Solar Panels at 2949 Windsor Lane, Jeffrey Van Wagenen, applicant.

Mr. Cheney made a motion for approval of a Conditional Use Permit, in written form, to allow for Solar Panels at 2949 Windsor Lane, Jeffrey Van Wagenen, applicant. Mr. Knight seconded the motion.

A Mr. Wilkinson
A Mr. Cheney
A Mr. Knight

Motion passed 3-0.

12. Miscellaneous business and scheduling.

Mr. Wilkinson ascertained there were no further items of business. The meeting was adjourned at 6:01 p.m.



Chad Wilkinson, City Planner